

Message Text

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70

ORIGIN EA-14

INFO OCT-01 ISO-00 PM-07 L-03 DODE-00 SSO-00 RSC-01 /026 R

DRAFTED BY EA/J:RMDEMING/SB
APPROVED BY EA - MR. SNEIDER
ISA - COL. BARRET (DRAFT)
PM - COMM. PASZTALOWIAC (DRAFT)
L/EA - MR. ROH (DRAFT)
ISA ADMIRAL BIGLEY
GENERAL COUNSEL: MR. FORMAN
SECAF - MR. DOOLIN

----- 007519

O R 262311Z JUL 74
FM SECSTATE WASHDC
TO AMEMBASSY TOKYO IMMEDIATE
COMUSJAPAN FUCHU IMMEDIATE
INFO AMCONSUL NAHA
CINCPAC

C O N F I D E N T I A L STATE 163499

JOINT STATE DEFENSE MESSAGE

E.O. 11652: GDS
TAGS: PFOR, JA
SUBJECT:

REF: A. STATE 161360; B. CSAF 262122Z JULY 74

1. PER REF B DEFENSE HAS WITHDRAWN ITS CONCURRENCE IN REF A.
 2. ACTION ADDRESSEES SHOULD PRE ARRANGE FOR JOINT COMMITTEE MEETING TO BE HELD IMMEDIATELY AFTER GOJ HAS BEEN NOTIFIED THAT US FORCES ARE GOING TO ISSUE DUTY CERTIFICATE AND CLAIM PRIMARY JURISDICTION.
 3. AT JOINT COMMITTEE MEETING COMUSJAPAN AND EMBASSY SHOULD STATE THAT WE ARE PREPARED TO CONSIDER TO WITHDRAW
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DUTY CERTIFICATE, IF ADDITIONAL FACTS PRODUCED AT JOINT

COMMITTEE MEETING REVEAL THAT ACTIONS OF ACCUSED WERE
CLEARLY FOREIGN TO THEIR ASSIGNED DUTIES.

4. FOR EMBASSY. EMBASSY SHOULD EMPHASIZE PRIVATELY TO
FONOFF THAT WE FEEL THAT OFFICIAL DUTY CERTIFICATE MUST BE
ISSUED BECAUSE PROBLEMS IN US REQUIRE WE EXERCISE OUR AGREE-
MENT RIGHTS AND ISSUE A DUTY CERTIFICATE WHEN FACTS SO
WARRENT IN OUR VIEW, AND BECAUSE OF IMPLICATIONS THAT
FAILURE TO EXERCISE JURISDICTION IN CIRCUMSTANCES OF THIS
CASE WOULD HAVE ON SOFAS THAT US HAS WITH OTHER COUNTRIES, AND

ON MORALE OF MILITARY PERSONNEL ASSIGNED GUARD-TYPE
FUNCTIONS, EMBASSY SHOULD ASSURE FOREIGN OFFICE, HOWEVER,
THAT WE WISH TO RESOLVE PROBLEMS OF THIS CASE AS QUICKLY
AND SMOOTHLY AS POSSIBLE, AND AVOID MAJOR POLITICAL
PROBLEMS. INGERSOLL

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